

PLAINTIFF'S EXCERPTS FROM AUGUST 24, 1998
DEPOSITION OF GERALD ARMSTRONG
(Asking the questions is Samuel D. Rosen, Esquire.)

Page. Line

7 12 Q Mr. Armstrong, what is your address?

13 A I suppose you can use 2245-B Meridian Boulevard.

14 Q Is that where you live?

15 A That and at 520 Foothill, in Gardnerville.

8 23 Q Okay. Now, how long have you lived -- which of
24 these is your primary residence, sir?

25 A 520 Foothill.

9. 1 Q Okay. And how long have you lived there?

2 A Really, the first time I lived there was in

3 November of '97.

4 Q What date?

5 A Approximately the 19th.

9 16 Q But is 520 Foothill what you consider to be your
17 principal -- your main residence?

18 A Yeah. But mail, I get at the -- at the 2245.

10 13 Forget limiting it to Nevada. Was 520 Foothill
14 your main residence, your primary residence since November
15 19th, 1997, "yes" or "no"?

16 A I would have to divide it between that and 2245-B
17 Meridian. And I say that because the amount of time that I
18 spend at 2245 Meridian is more, and I have the vast bulk of my
19 personal effects there. But generally where I sleep is at the
20 520 Foothill.

11 18 Q Okay. 520 Foothill, is that a house, an
19 apartment?

20 A It's a house. It's Mr. Abbott's house.

21 Q It's Mr. Abbott's home address?

22 A Right.

23 Q So your permanent residence in Nevada is either
24 Mr. Abbott's home or Mr. Abbott's office?

25 A Right.

12 1 Q Do you pay Mr. Abbott rent?

2 A We have a basic agreement, which is a swap for the
3 paralegal work that I do.

12 6 Q When did you reach this agreement with Mr. Abbott?

7 A I would say November, 1997.

8 Q When in November?

9 A Or in the period leading up to that. Because I

10 discussed that subject, without getting into the details, with

11 Mr. Abbott over a period of months.

15 5 A And my most official employment other than

6 something familial is with Mr. Abbott.

15 10 A I have another employer here in Nevada for whom

11 I -- I do certain -- certain -- at this point, it's paralegal

12 and computer work.

16 19 Q How long have you been employed as a paralegal by

20 this other employer in Nevada?

21 A I began work for him in, I believe -- I think the

22 end of 1995, and worked through a physical period when I was

23 here, in 1996. That was for a period of some -- some months.

24 And subsequently, my work has mainly been for him on a long

25 distance communication line.

18 2 Q Okay. When was it that you first started working
3 for Mr. Abbott as a paralegal, under this arrangement of him
4 allowing you in return to sleep in his house or his office?
5 A November, '97.
6 Q November 19th?
7 A Whenever -- whenever it was that I arrived.
8 Essentially the 19th. It could have been the 20th, it could
9 have been the 18th.

21 24 Q What would you say, Mr. Armstrong, is your most
25 valuable asset? What's the most valuable thing you own?

22 1 A I guess my life.

2 Q Okay. Anything else, after that?

.....

5 THE WITNESS: I think my records, my files, my --

6 Yeah.

7 BY MR. ROSEN:

8 Q Records of? Scientology-related records --

9 A Part. A lot --

10 Q -- or are you talking about like music records?

11 A No, I'm talking about my -- my writings.

12 Q Your --

13 A My writings, my records, yeah.

22 20 Q Okay. And where are those records?

21 A They're in Minden.

22 Q In Mr. Abbott's office?

23 A Right.

22 24 Q Did there come a time when you moved them there?

25 A Yes.

23 1 Q When was that?

.....

6 A Yeah. It was in 1996.

23 9 Q No, I'm sorry. I apologize. You said, "over a
10 period of time." My question -- in 1996. My question is how
11 long a period of time was this?

12 A Some months.

13 Q And how many trips was that?

14 A Three or four.

15 Q And where did you move them from?

16 A The bulk of them from another location that they
17 were in in Reno, and from California.

23 18 Q Okay. Did there come a time when, in your mind,
19 you decided you wanted to become a resident of Nevada?

20 A Yes.

21 Q When was that, that you did that?

22 A It occurred in -- I would say the early part of
23 19 -- 1997.

24 Q And at that point, can you be any more specific in
25 terms of "early part"? Are you talking about like January,
24 1 February?

2 A Although the idea had been there often --

3 Q Excuse me. I'm not asking about the idea.
4 There's a point in time at which you finished thinking about it
5 and ruminating and saying, "Maybe I'll do it, maybe not," and
6 there's that point in time when you say, "Okay, I am doing it,
7 I am now a Nevada resident."

8 A November, 1997.

9 Q Okay. November, when? 18, 19, 20, somewhere in
10 there?

11 A I would say upon my arrival, at that time, in
12 1997.

27 3 Q Okay. Apart from your records and your writings
4 and your files, in terms of tangible assets, do you have any
5 asset which is more valuable in terms of cash, you know, its
6 cash value, than your computer?

7 A Apart from my writings and documents and arts and
8 stuff like that? Is that what you are talking about?

9 Q Well, your writings and documents, I assume you
10 can't sell them; right? I mean, you couldn't get any money for
11 them, could you?

12 A Oh, I haven't -- I haven't attempted to, but I
13 believe that there are many of them which -- which are -- which
14 I could sell, yes.

15 Q Okay. Let's put your records and files aside for
16 a moment --

17 A Okay.

18 Q -- and talk about hard assets, things like
19 televisions, cameras, VCRs. You know, the kind of property
20 that people acquire.

21 Do you have any asset which is worth more, you
22 know, in terms of dollar value, than the --

23 A Than the computer?

24 Q -- than the computer?

25 A I don't think so.

28 1 Q Okay. Mr. Abbott's home at 520 Foothill, is that
2 a one-family house?

3 A Yes.

4 Q And do you have your own bedroom there?

5 A Yes.

6 Q Where is that?

7 A It's in the house.

8 Q Is it like on the main floor?

9 A Yes.

10 Q Do you have your own bathroom?

11 A Yes.

12 Q Do you keep your clothes there?

13 A Yes.

14 Q Do you also keep clothes at Mr. Abbott's office?

15 A Sometimes.

16 Q Do you have a -- Now, you use Mr. Abbott's
17 telephone at his home; right?

18 A Yes.

29 5 Q Okay. Now, do you -- Are you listed on the

6 post -- with the post office to receive mail at Mr. Abbott's
7 home?

8 A I -- I don't -- I've never -- I've never given out
9 that address. I receive mail at his office address, and I've
10 received --

31 4 Q Okay. Mr. Armstrong, do you have any bank
5 accounts?

6 A Yes.

7 Q Where?

8 A In Minden.

9 Q At what bank?

10 A Wells Fargo.

11 Q And what address or what branch of that -- is
12 that? Just give me the location.

13 A It's right on 395.

14 Q Okay. And how long have you -- Is that a checking
15 account, sir?

16 A Yeah.

17 Q How long have you had that account?

18 A Since about May.

19 Q Of 1998?

20 A Right.

21 Q Do you have any other bank accounts?

22 A No.

23 Q Have you had any other bank accounts since

24 November of '97?

25 A No.

37 3 Q Okay. Now, you said earlier that -- that point in
4 time when you said to yourself, "I'm going to be" -- "Now I am
5 going to be a Nevada resident, now I am going to do it," was
6 early November of '97?

7 A No, just so -- so you understand -- but we --
8 you -- you really didn't let me get, I think, to when the
9 decision -- and again, it was a decision which built up over a
10 period of months.

11 Q Okay.

12 A But sometime -- sometime prior to my arrival. And
13 it could have been weeks. Because, again, Mr. Abbott and I had
14 communicated about this matter and about my being here and
15 what -- how we could -- what arrangements we could work out to
16 facilitate my being here. Those things were worked out prior
17 to my arrival.

18 But upon my arrival, I took the steps which I
19 deemed made sense to become a resident.

38 3 A Well, the -- Let's put it this way: The hope

4 that -- or the idea that it made sense for me to become a

5 Nevada resident was a thing which occurred over a period of

6 months, building up to --

7 Q When was your decision made?

8 A -- the decision.

9 Q Which was when?

10 A Which was sometime in the weeks or perhaps a month

11 prior to my actual arrival.

12 Q So is it your best recollection, then, that the

13 point at which you -- your decision was made to become a

14 resident of Nevada was approximately one month before November

15 19th, somewhere around October 19th?

16 A Well, if you -- Well, when it became possible, and

17 obviously I had, up to then, taken a number of steps. I had

18 over a period of months before that moved my -- my personal

19 things to Mr. Abbott's. I had been in communication with him

20 for many months prior to that in anticipation of maybe, you

21 know, "Let's look at this" -- "this happening."

38 25 A So really, I guess the idea originated when I took
39 1 the plunge and moved -- began to move the bulk of my stuff to
 2 Minden.

3 Q Okay. So tell me when that was, that you began to
4 move the bulk of your stuff to Minden.

5 A Okay. I think I've answered that. But in any
6 case, in 1996.

7 Q Okay. So would it be fair to say that at the
8 point that you started moving the bulk of your records and
9 files to Mr. Abbott's office in 1996, at that point in time you
10 had made the decision to become a Nevada resident?

11 A No, not -- not quite that easy. Because many,
12 many things happened, and some time intervened.

13 Q Okay.

14 A I was, at that -- At that point I was in -- I was
15 in California. And while I was still in California, I began
16 the moving of my things to Nevada, and began my communication
17 with Mr. Abbott in anticipation of -- I didn't know at that
18 point what I was going to do at that point. I had not even
19 received Scientology's black PR document, which is the
20 substan -- the basis for the Complaint here.

21 Q Mr. Armstrong?

22 A So those are things -- There were a number of
23 things which -- which came along, some of -- one of which drove
24 me to -- to Canada. And that's because if I had had all the
25 agreements in place with Mr. Abbott, I might have gone there,

40 1 but I couldn't --

2 Q What agreements with Mr. Abbott?

3 A The arrangement whereby I could live at his place
4 and -- you know, until such time as -- as I get something else.
5 Because I understand that, you know, people move around in
6 life, and I fully expect to. And I fully expect to be moving
7 even more, as you move around. You're from New York.

8 So it was not possible for me to go directly from
9 California to Nevada.

10 Q Why not? Why couldn't you move into Mr. Abbott's
11 house in -- when you left California in January of '97?

12 A Well, because Mr. Abbott and I did not have that
13 relationship at that time.

14 Q Okay. When did you have -- when did you obtain
15 that relationship with Mr. Abbott?

16 A We worked things out over a period of months in
17 1997 from -- I was in British Columbia, and he was here.

18 That's when we made the arrangements and I moved from B.C. to
19 Nevada.

20 Q Mr. Armstrong, when you started shipping your
21 files and things to Mr. Abbott in 1996, were you shipping them
22 to him as an attorney to review them, or for safekeeping, or
23 were you sending them there because you had decided to -- at
24 some point you were going to relocate to Nevada?

25 A All three, I think are factors.

42 10 Q When did you reach the basic understanding that
11 you could come to Nevada, work as Mr. Armstrong -- as Mr.
12 Abbott's paralegal and live in his house? When did you reach
13 that basic understanding with Mr. Abbott?

14 A I think that that occurred over a period of
15 months, leading up to my decision to arrive here.

45 22 Q Do you have a place where you keep important
23 papers, like birth certificates, things like that -- your birth
24 certificate?

25 A Yeah.

46 1 Q Where do you keep that?

2 A They are here in Nevada. I mean, these are my

3 essential documents.

4 Q I don't have a birth certificate. I don't know
5 what you are pointing to.

6 A No, no, these are my essential documents. I don't
7 know where, exactly, my birth certificate is. But my -- my
8 important personal documents, aside from those which I require
9 for any kind of travel, are here in Nevada.

47 23 MR. ROSEN: It does have to do with it, because
24 I'm trying to figure out whether or not this residence at your
25 home is part and parcel of paying for the lawsuit. I mean, his
48 1 only residence is your house, Mr. Abbott, and I'm trying to
2 figure out if there's a relationship there that would make that
3 not a residence.

48 21 Q How did you physically move your records and
22 things to -- from California to Mr. Abbott's office? Did you
23 ship them? Did you send them by parcel post? Did you drive
24 them here?

25 A No, I -- I brought them by truck.

49 1 Q From California?

2 A Right.

3 Q In 1996?

4 A Right.

5 Q And did you move any of your facility -- any of
6 your possessions, your files or other possessions here, in the
7 year 1997?

8 A Yes.

9 Q And did you -- did you move them here from
10 California?

11 A No.

12 Q From Canada?

13 A Right.

14 Q And how did you do that?

15 A As personal baggage.

16 Q You mean on an airplane?

17 A Right.

53 11 Q So when you left in January of 1997, you had no
12 furniture or furnishings or appliances, when you went to
13 Canada?

14 A I -- Well, I had --

15 Q You didn't own them anymore?

16 A I had given her all of these things in 1990.

17 Q Okay. And --

18 A Not -- When I described all of those -- that list

19 of things, some of those things went to various people, but she

20 also got a portion of all of those things, the electronic

21 equipment, some of the bedding, that sort of thing.

22 Q All right.

23 A And so I had given that away in 1990.

24 Q Is it fair to say, then, at the time that you left

25 California in January of 1997, you did not own any more

54 1 furniture or appliances or --

2 A Whatever I had, I -- I gave to her at that -- at

3 that point.

4 Q Okay. Now, how did you -- did you leave

5 California in January of '97 by car or some other way?

6 A I -- I flew to Nevada from San Francisco.

7 Q Okay. So you took with you when you -- when you

8 flew, your clothing and personal effects?

9 A I took my -- my clothing and my computer.

10 Q Okay. And did you -- did you leave any of your

11 personal effects behind in San Anselmo or did you take them all

12 with you?

13 A It's -- Really, I took -- I took them all either

14 with me, or if there was anything that remained, I gave them to
15 Lori --

55 17 Q Have you had any driver's license other than your
18 Nevada license and your California license within the last five
19 years?

20 A No.

59 10 MR. ROSEN: Yeah. He says he has receipts which
11 will show his airline travel since October 1, 1997, and I'm
12 just interested in if the receipts will show the dates that
13 he's flown in and out of Nevada.

14 THE WITNESS: I can give you the -- give you the
15 dates.

16 BY MR. ROSEN:

17 Q Oh, you can?

18 A You didn't ask for them.

19 Q Okay. Then tell me.

20 A Okay. So I arrived, my recollection is the 18th,
21 I think, of November, approximately, and then left for B.C. on
22 the 24th. And then I was --

23 Q 24th of November?

24 A Right.

25 Q And you're talking about 1997, now; right?

60 1 A Right.

2 Q Okay.

3 A And then December -- December 15th through

4 December 19th. March --

5 Q Wait a minute. What you're saying is you were

6 here in Nevada from December 15th to December 19th?

7 A Right.

8 Q Okay.

9 A And then March -- I think March 19th through March

10 26th. And then --

11 Q Of 1998? You were then again here in Nevada;

12 right?

13 A Right.

14 Q Okay.

15 A And then May -- Those dates, I'm not quite certain

16 of, but I would say May -- May 4th through May 11th,

17 approximately. In that period.

18 Q You were again in Nevada?

19 A Yes.

20 Q All right.

21 A And then this last -- this last one.

22 Q When did you arrive here?

23 A The 22nd.

24 Q Of August?

25 A Yes, sir.

61 1 Q And did you buy a roundtrip ticket?

2 A Yes.

3 Q When are you scheduled to go back to Canada?

4 A September 3rd.

5 Q I assume, by the way, when -- You arrived here on

6 the 22nd from Canada?

7 A Right.

8 Q And except for perhaps a day or two that you have

9 indicated, you know, where you were in California, as you've

10 been traveling back on those dates, when you were not in

11 Nevada, you would have been in Canada?

12 A Well, I spent, I guess a total of a couple of

13 weeks, perhaps, in -- in Seattle.

14 Q Visiting folks?

15 A Yeah.

61 23 Q Okay. In terms of your mother's -- Do you stay
24 primarily at your mother's house when you are in Canada?

25 A Well, during this last period of time, there have
62 1 been other times where I stayed in other locations. But right
2 now, because I've been principally helping her out, I've been
3 staying there.

4 Q And does anybody else live in your mother's house,
5 or does she live alone?

6 A She lives alone.

62 21 Q Okay. Tell me why -- why was it that you made the
22 decision that you wanted to live in Nevada, as opposed to
23 California or Vancouver or Seattle or anyplace else? Why
24 Nevada?

25 A I think because at the time, I felt that this is
63 1 where -- where I would be relatively safe, and be able to
2 effectively combat the attacks from Scientology.

3 Q You thought Nevada was a safer place to live than
4 Seattle or Wyoming or --

5 A Well, --

6 Q -- or Vancouver, B.C.?

7 A No, no. In fact, I think that I am -- that I am

8 actually much safer in Canada than I am here. And that's a --
9 has been an increasing awareness through the -- through these
10 many months. But that if I was to do anything effective to
11 combat the Scientology onslaught, that I certainly couldn't be
12 in California. And this was a place where at least I had some
13 ties and --

64 3 Q What kind of mail do you receive -- and I'm not
4 asking you in terms of identifying it from whom -- but what
5 kind of mail do you receive here in Nevada, like for instance,
6 letters, magazine subscriptions --

7 A I receive legal documents, documents relating to
8 my legal matters.

9 Q From whom?

10 A From anyone who writes to me about those things.
11 So, that's where, if I'm -- if I'm gathering information of any
12 kind, that's where it all goes to.

13 Q Okay. Do you receive documents from -- from some
14 people about legal matters, do you receive correspondence? Do
15 you receive letters?

16 A I have, but it's very minimal, as my
17 correspondence and letters, aside from my legal matters, are

18 completely minimal everywhere.

65 14 Q By the way, are you required -- or do you know if
15 you're required to inform the Immigration and Naturalization
16 Service of your change of residence?

17 A No, I don't know of any such -- I've never -- I've
18 never -- I always -- you know, when I fill out my immigration
19 form, I always put that address on there.

20 Q Which address?

21 A The Minden address.

76 20 Q Would you turn to the second page of the CV?
21 You'll see under "Legal Positions," you've listed
22 there, 1991 to 1995 you were a paralegal for Ford Greene in San
23 Anselmo?

24 A Yes.

25 Q Mr. Greene was your prior attorney?

77 1 A Right.

2 Q And before that you were a paralegal for Mr. Flynn
3 from '85 to '86, in Boston?

4 A Yes.

5 Q And Mr. Flynn was your prior attorney?

6 A Yes.

7 Q And before that, '82 to '84, you were paralegal
8 for Feldsott, Lee & Van Gemert?

9 A Yeah, Van Gemert.

10 Q And that firm represented you; right?

11 A No.

79 1 Q Now, can you tell me why it took you until
2 December 16th, 1997 to apply for a Nevada driver's license?

3 A Well, my -- my understanding was that I was within
4 the time period that is allowed. That is, I -- my recollection
5 is that within 30 days, that one has to apply for a Nevada
6 license.

7 Q Okay.

8 A And I had arrived and began to consider myself a
9 Nevada resident approximately -- a Nevada resident,
10 approximately 30 days prior to this. So that's why, it was
11 convenient at that time and it was time to do it.

93 14 THE COURT: What date did he say he established
15 residency in this deposition?

16 MR. ROSEN: That's the next question. He hasn't

17 said. He said he physically moved here on November 19th.

18 THE COURT: Of 1997?

19 MR. ROSEN: Of '97. And the next question which
20 is marked, I said, "When did you decide to become a Nevada
21 resident?" Because he obviously needed to decide that before
22 the date he physically moved here, and he -- I've asked him the
23 question six times. I haven't gotten an answer. I've got,
24 "It's been over a period of time of discussions with
25 Mr. Abbott. I had to wait until Mr. Abbott agreed that I can
94 1 live in his office or his house."

2 Okay. So we finally agreed. "So tell me when it
3 was, in your mind, you said, 'Okay, I'm a Nevada resident'?" I
4 can't get an answer to that question, either. So that's the
5 second-to-last one that's been marked.

6 MR. ABBOTT: That's not an entirely accurate
7 recital. He has given you a couple of dates, or a bracket of
8 two dates that are very close together.

9 THE WITNESS: And I have said very clearly that
10 in -- when I landed in Nevada in November, 1997, I considered
11 that that was a change of my residence, and that's when I
12 became a Nevada resident. I have been very clear about that.

13 I have said that leading up to that, over a period

14 of some months, there were discussions, and the idea originated
15 many months before, and through a process of both time and --
16 and coming to various agreements with Mr. Abbott, that led to
17 the ultimate decision and the timing that I arrived here in
18 November of '97.

19 THE COURT: Okay. That answer is sufficient.

20 Now tell me, this employment where you were
21 employed with this other employer, when was that?

22 THE WITNESS: I -- I was -- I worked for him
23 physically here in Reno in, I think it was the end of 1995, and
24 several months in 1996. I have continued through this period
25 of time, although not physically in his plant, but I have

95 1 continued to provide him with computer information, and we have
2 an actual business relationship here.

From the foregoing sworn testimony the following conclusions may be drawn:

1. Plaintiff's residence is at 2245-B Meridian Boulevard in Minden, Nevada and at 520 Foothill Road, in Gardnerville, Nevada;
2. Plaintiff has lived there and considered these locations his residence since his arrival in Nevada on November 19, 1997;
3. 520 Foothill is the home of attorney George Abbott and Mary Abbott, and 2245 Meridian is Mr. Abbott's law office;

4. Plaintiff keeps the vast bulk of his personal effects 2245 Meridian, and generally sleeps at 520 Foothill;
5. Plaintiff has his own bedroom and bathroom at 520 Foothill, keeps his clothing there, and has use of the Abbotts' telephone;
6. Plaintiff exchanges paralegal work for Mr. Abbott for lodging, and has had this arrangement with Mr. Abbott since November, 1997;
7. Plaintiff worked as a paralegal for other attorneys who represented him in litigation: Michael Flynn in 1985-1986 and Ford Greene in 1991-1995;
8. Plaintiff receives mail at the 2245 Meridian office address;
9. Plaintiff's only bank account is at the Well Fargo branch in Minden, Nevada;
10. Plaintiff applied for a Nevada driver's license within 30 days of beginning his residency in Nevada, and possesses no other driver's license from any other state or country;
11. Plaintiff reports the Minden address as his residence on his Immigration and Naturalization Service forms;
12. Plaintiff's most valuable asset is his writings and documentary records which he keeps in Mr. Abbott's office;
13. Plaintiff moved his writings and documentary records, including important personal documents, to Mr. Abbott's office in 3 or 4 trips over a period of months in 1996, the bulk of them from another location in Reno, the rest from California;
14. Plaintiff was employed in Reno, Nevada in 1996 and continues to have a business relationship in Nevada with that employer;
15. Plaintiff transported the bulk of his writings and documentary records to Mr. Abbott's

office by truck;

16. Plaintiff moved his files to Mr. Abbott's office in 1996 for Mr. Abbott as an attorney to review them, for safekeeping, and with the idea that he might relocate to Nevada.
17. Plaintiff moved other personal effects to Nevada from Canada in 1997;
18. Plaintiff's decision to move to Nevada built up over a period of months prior to his arrival involving many communications with Mr. Abbott to work out arrangements.
19. Plaintiff and Mr. Abbott worked out the details of his move to Nevada and his living arrangement and employment as a paralegal for Mr. Abbott over a period of months in 1997 while plaintiff was in British Columbia, Canada;
20. Plaintiff might have moved directly to Nevada from California but a number of things occurred which drove him to Canada, including the "black propaganda" document which is the subject of this complaint, and he did not have all the necessary agreements in place with Mr. Abbott;
21. Plaintiff possessed no furniture, furnishings or appliances when he left California for Canada, taking his clothing and computer;
22. When plaintiff has been in Canada he has stayed principally at his mother's home which he has been readying it to be sold;
23. Plaintiff made the decision to live in Nevada because he felt that he would be relatively safe, and be able to effectively combat the attacks from Scientology;
24. Plaintiff feels that he is safer in Canada than in Nevada but feels that he must be in Nevada do anything effective to combat the Scientology onslaught.

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Dated this 2nd day of September, 1998.

George W. Abbott
Attorney for Plaintiff